

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

V.

SCOTT HASHIM,

Defendant .

Criminal No. 07-484 (SRC)

ORDER

CHESLER, District Judge

This matter comes before the Court upon Defendant’s motion for an expedited hearing of his motion for re-sentencing pursuant to 18 U.S.C. § 3582(c)(2) [docket entry no. 48]. The Government has opposed the motion. Defendant has asked for retroactive application of the Fair Sentencing Act of 2010. The Act cannot be applied retroactively. *United States v. Reevey*, No. 10-1812, 2010 U.S. App. LEXIS 25587, at *11-12 (3d Cir. Dec. 14, 2010).

Accordingly, for the reasons set forth above,

IT IS on this 17th day of February, 2011,

ORDERED that Defendant's motion for an expedited hearing [docket entry no. 48] be and hereby is **DENIED**; and it is further

ORDERED that Defendant's application for re-sentencing be and hereby is **DENIED**; and it is further.

ORDERED that this action be and hereby is **CLOSED**.

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge